

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ANASTASIA PEARSON and JAYSON
MCGUIRE, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

KIA AMERICA, INC., HYUNDAI MOTOR
AMERICA, and HYUNDAI KIA AMERICA
TECHNICAL CENTER, INC,

Defendants.

Case No. 0:22-cv-02882

Hon. John R. Tunheim

JOINT STIPULATION TO EXTEND TIME

Plaintiffs Anastasia Pearson and Jayson McGuire (together, “Plaintiffs”) and Defendants Kia America, Inc., Hyundai Motor America, and Hyundai America Technical Center, Inc. (collectively, “Defendants”) (together with Plaintiff, the “Parties”), by and through their respective counsel, hereby agree to the following with reference to the following facts:

1. Plaintiffs filed their complaint on or around November 11, 2022. The complaint was served on Defendant Hyundai Motor America (“Hyundai”) on or around November 15, 2022, and Hyundai’s current deadline to respond to the complaint is December 6, 2022. The complaint was served on Defendant Hyundai America Technical Center, Inc. (“HATCI”) on or around November 15, 2022, and HATCI’s current deadline to respond to the complaint is December 6, 2022.

2. On or around August 31, 2022, plaintiffs in an action entitled *McNerney v. Kia America, Inc.*, No. 8:22-cv-01548 (C.D. Cal. Aug. 19, 2022), moved the U.S. Judicial Panel on Multidistrict Litigation (the “Panel”) for an order transferring and consolidating certain related actions, including this action (“Related Actions”). That motion is currently pending before the

Panel in MDL No. 3052. On December 1, 2022, the Panel held a hearing on that motion. The Parties anticipate that the Panel will make a decision on that motion soon.

3. As of the date of this filing, there are approximately forty-eight (48) Related Actions pending in twenty-two (22) district courts across the United States: the Central District of California, the District of Colorado, the Middle District of Florida, the Northern District of Georgia, the Northern District of Illinois, the Northern District of Indiana, the Southern District of Iowa, the District of Kansas, the Eastern District of Kentucky, the Eastern District of Louisiana, the Eastern District of Michigan, the District of Minnesota, the Western District of Missouri, the District of Nebraska, the Southern District of New York, the Northern District of Ohio, the Southern District of Ohio, the Eastern District of Pennsylvania, the District of South Carolina, the Western District of Tennessee, the Southern District of Texas, and the Eastern District of Wisconsin. All parties agree that the Related Actions should be centralized.

4. As of the date of this filing, approximately thirty-seven (37) Related Actions in the Central District of California, the District of Colorado, the Middle District of Florida, the Northern District of Illinois, the Southern District of Iowa, the District of Kansas, the Eastern District of Kentucky, the Eastern District of Louisiana, the Eastern District of Michigan, the District of Minnesota, the Western District of Missouri, the District of Nebraska, the Southern District of New York, the Northern District of Ohio, the Southern District of Ohio, the Western District of Tennessee, and the Southern District of Texas have extended the time for Defendants to respond to December 20, 2022.

5. In light of the foregoing, including given the pending motion to transfer, the Parties have agreed to set Defendants' deadline to file a responsive pleading as December 20, 2022. The Parties have agreed that this timing is reasonable, serves the interest of judicial economy, would reduce fees and costs to the Parties, and would reduce the burden on the Court and its staff.

NOW, THEREFORE, the Parties hereby STIPULATE and AGREE as follows:

1. Defendants' deadline to file their responsive pleadings shall be and is December 20, 2022.

IT IS SO STIPULATED AND AGREED.

Dated: December 5, 2022

Respectfully submitted,

/s/David A. Goodwin

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Dated: December 5, 2022

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